

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§5–203.

(a) The Department has general supervisory power, regulation, and control over the water resources of the State within the boundaries of the tidal waters as provided in this article.

(b) The Department shall exercise to the fullest extent possible the State's responsibility for its water resources by planning and supervising multiple purpose development and conservation of the waters of the State for the State's best interests and benefit. The Department shall develop a general water resources program which contemplates proper conservation and development of the waters of the State, in a manner compatible with multiple purpose management on a watershed or aquifer basis, or any other appropriate geographical unit. The program shall recognize and be consistent with functions of other State units. The Department shall be guided by the program in the performance of its duties.

(c) The Department may make or cause to be made surveys, maps, investigations, and studies of water resources of the State necessary to provide sufficient information to formulate a program and perform its duties. The Department may contract for research or scientific investigation with the Natural Resources Institute of the University of Maryland, the Chesapeake Bay Institute of The Johns Hopkins University, or other appropriate research organizations.

(d) The Department may operate, sell, buy, lease, exchange, rent, or repair any vehicle, vessel, boat, net, or other equipment necessary for its work. The Department may furnish a vehicle, vessel, or boat which the Department owns or operates with any required arms, ammunition, or equipment. The Department's authority under this subsection is subject to the provisions of the code relating to budget and procurement.

(e) In addition to powers and duties stated in this title, the Department may exercise authority reasonably necessary to carry out the purposes of this title.

(f) (1) The Department may issue orders for corrective measures to any person who the Department believes to be violating any provision of this title or any regulation adopted under this title.

(2) The person to whom an order is issued may, on request, contest the order in a hearing before the Department. The Department, by regulation, shall adopt procedures by which the hearings are held.

(3) A court action for violation of the terms of an order may not be instituted unless the violator has had opportunity for an administrative hearing. However, regardless of whether an order for corrective measures has been issued, the Department at any time may refer an alleged violation of this title or any regulation adopted under this title directly to the Attorney General for appropriate court action. This subsection does not prevent the Attorney General from taking immediate action against the violator.

[\[Previous\]](#)[\[Next\]](#)